ANTI-TRUST LAW INVALID.

THE AREANSAS SUPREME COURT KNOCKS OUT THE NEW STATUTE.

Declares That if the Legislature Intended to Stop Insurance Companies from Doing Business There Which Made Rate Agreements Outside the State and Not Intended to Apply to Arkansas the Law Should Have Said So in Plain Terms.

LITTLE ROCE, Ark., May 27.-The Supreme Court to-day handed down a decision in the famous anti-trust insurance cases which came before it several weeks ago on appeal from Circuit Judge Joseph W. Martin of this city. The decision is a complete victory for the insurance companies, and is a fatal blow to At-Anti-Trust law. The sixty-three insurance companies which suspended business the day after Gov. Jones signed the legislative act resumed business throughout the State this afternoon. The opinion was delivered by Associate Justice Riddick, and was concurred in by the beach. The decision says:

This is an action against a foreign insurance company, in which the State, through her Attorney-General, claims a penalty of \$5,000. The question presented is whether a foreign corporation doing a fire insurance business in this State subjects itself to a penalty under the recent statute against trusts and corporations by entering into an agreement with other insurance companies for the purpose of fixing rates of insurance in foreign countries, when such an agreement is neither made in the State nor intended in any way to affect the prices or premiums to be paid for insuring property in the State.

'As the Legislature has the power to entirely exclude foreign insurance companies from doing business in this State, it can, of course, may do business here. The whole matter rests in the discretion of the Legislature. There is no controversy on this point, but Attorney-General contends that no insurance company while a member of a trust or combination to fix rates in any portion of the world can do business here without becoming liable to a penalty under our statute. The defendant, on the other hand, denies that the language of the statute in question carries the meaning contended for by the Attorney-General, and the question before us has reference not to the power of the Legislature, for that is conceded, but to the proper construction and meaning of the statute. The statute in question, so far as it affects this case, provides that any cor-poration organized under the laws of the State or any other State or country and transacting or conducting any kind of business in this State, or any partnership or individual who shall create or enter into or become a party to any pool, agreement, contract, combination, association or confederation to fix or limit the price and premium to be paid for insurance of property against loss or damage by fire, shall be deemed and adjudged guilty of a

surance of property against loss or damage by fire, shall be deemed and adjudged guilty of a conspiracy to defraud, and he subject to the pensities as provided by this act."

After discussing at length the language of the statute and the argument adduced by the Attorney-tieneral, the Lourt says:

"Let us follow the argument of counsel for the State and see what it would lead to. The defendant company is an English corporation engaged in the business of fire insurance. It may and probably does carry on such business not only in America, but also in Europe and Asia. Now, under the construction which the counsel for the State seeks to have placed on this statute, if this English company while doing business here should arits office in England enter into an agreement with other foreign companies for the purpose of fixing rates for fire insurance in Hong Kong or in the city of Canton, China, it would at once become liable to a penalty under our statute. For counsel for the State contends that the words any pool or combination, used in the statute embraced such combination in any portion of the world. This we admit is the logical result of their construction of the law. There is no mid-lie ground. Either the act applies only to combinations affecting persons, property or prices in this State or its scope is unlimited.

"If this be the meaning of the statute, then if the Attorney-tieneral was informed that a company doing business here had entered into a combination in Japan or South Africa fixing rates of fire insurance in those countries, he would be required to institute an inquiry and perhaps to take proof. It is easy to see that under such a law litigation might take a wide range, for the field of evidence would be an wide as the habitable globs. Investigations of that kind would be expensive. The time of the Attorney-tieneral and the courts of the State would often be consumed by controversice concerning trusts and combinations in different parts of the world having reference to or effect upon the people of this

State. If the Legislature intended the statute to have such a broad scope it should have expressly said so in plan words. It is so unusual for a Legislature to intend that its acts shall have such world-wide effect that courts shall have such world-wide effect that courts shall be active. are never justified in putting such construc-tion upon them if their language admits of any other reasonable interpretation. Such a construction might result in defeating the main purpose in massing the act, for it is evi-dent that one object in passing the net was to encourage competition. By preventing the combinations and agreements named in the concourage competition. By preventing the combinations and agreements named in the act the Legislature wi ely intended to stimulate competition and thus reduce prices. But if all companies belonging to such combination in any foreign country are for that reason only shut out from doing business in this State, co. petition may be lessened and prices thereby increased.

Again this available of the companies of th

Again, this statute not only forbids corpora-

State, co. petition may be lessened and prices the reby increased.

"Again, this statute not only forbids corporations from entering into pools and combinations, but it also forbids individuals, persons and partnerships, and they are subjected to like penalties. Now, while the State can dictate the terms upon which corporations may do business here, it does not have such control of the citizen. So, if we adopt the construction contended for by the Attorney-General, it necessarily results that a portion of the statute must be treated as unconstitutional. The courts always endeavor to avoid declaring an act or any part thereof to be unconstitutional. If it can reasonably be done, they endeavor to avoid such a result by giving the statute such a construction as will enable it to take effect. This furnishes another reason why the emistration contended for by the counsel for the State should not be adopted.

"Our conclusion is that the statute does not apply to pools or combinations formed outside of the State and not intended to affect and which do not affect persons, property or prices of insurance in this State. In other words, we are of the opinion that the Legislature by this statute did not intend to prohibit or punish acts done by agreements made in foreign countries by corporations doing business here when such acts of agreements have reference only to persons, property or prices in such foreign countries. We therefore hold that the demuyrer thereto was overruled. Entertaining no doubt of the correctness of the judgment of the Creuit Court, the same is adirmed."

When asked his opinion of the Supreme Court on the question at issue, I have no criticism to make at this time. However widely we may differ as to the construction of the act place in the intention of the Legislature because it is a discrimination in favor of corporations which may not contition as so who shall gave the costs are not paid I shall fight the cases simply upon the proposition as to who shall gave here said and only the proposition as t

and other corporations?"
No: I would not prosecute a trust if it should organize in the front of the state House th a brass band announcing its organization, d shall at once dismiss all cases except as fleated above. My reasons I shall give to the ople at the proper time."

John C. Sheehan to Summer in Long Branch. LONG BRANCH, N. J., May 27 .- John C. Sheehan, the New York politician, will spend the summer here. He leased one of the Rothschild cottages yesterday. It is opposite Norwood Park and within a few hundred yards of "Nor-manhurst," where Vice-President Hobart will spend the summer. NOTES OF LEGAL EVENTS

Mr. William A. Purrington of this city is the

author of a very useful little book just published, under the title of "A Review of Recent Legal Decisions Affecting Physicians, Dentists, Druggists and the Public Health." In illustrating the need of medical examining boards he gives some amusing examples of the answers to questions upon examination papers of candidates for the degree of M. D. Ve quote a few: "Q.-What are your views as to the efficacy of vaccination? A .- I don't believe into it. Q.-What is the composition atmospheric air? A.-Carbon, hydrogen. smoke and various germs of disease in epidemic seasons. Q.—What are the fluids of the mouth? A.—Spit." Mr. Purrington states that the length of the intestines has been variously estimated by candidates at figures ranging from three feet to 300 yards. The latest decisions in medical jurisprudence are summarized in this volume, which contains a large amount of information in a small comthe X-ray process is beginning to figure in the law reports. The Albany Law Journal is authority for the statement that an X-ray picture was admitted in evidence for the first time in New York on the trial of a man named Haynes for murder in October, 1807. Mr. Purrington thinks that the process was shown in court in this State earlier than that, in a negligence case in Brooklyn. The admissibility of such evidence was affirmed by the Supreme Court of Tennesses in June, 1897.

We have not found any reported case relating to the X-rays which antedates the decision on Dec. 3, 1896, in Smith vs. Grant. by the District Court of Colorado, First Division. (29 Chicago Legal News, 145.) The pictures were objected to on the ground that inasmuch as no human eye had seen the inner organs of the body which they assumed to portray, there was no evidence that they correctly represented those organs. The court held, however, that they could be received to be used like pictures or mans, in illustration or explanation of the testimony of the medical or surgical expert witnesses. "We have been presented," said Judge Lefevre, "with a photograph taken by means of a new scientific disovery, the same being acknowledged in the arts and in science. It knocks for admission at the temple of learning, and what shall we do or say? Close fast the doors or open wide the portals?" He answered the question by letting the X-rays in.

The inability of the Surrogate's Court to empel an executor or administrator to pay the funeral expenses of his decedent is clearly declared in an opinion written by Surrogate Marcus of Erie county, upon a recent application by an undertaker for an order directing an administrator to pay for the burial of his intestate. "However strange it may seem." says the Surrogate, "this court is absolutely without power to relieve the petitioner in the enforcement of his claim for the burial of the deceased. The law recognizes the right of an executor or administrator to pay for funeral expenses even before letters are granted to him, subject only to their reasonacleness; that the funeral expenses rank with the administration expenses from the print of preference over all other claims or debts; that by allowed prior to the debts and charges; that the Surrogate may authorize a temporary administrator to pay funeral expenses; nevertheless, he is powerless to direct an executor or administrator to do what the court will always sanction when such executor or administrator voluntarily pays the same." This would seem to be a condition of things calling for remedial legislation.

A more remarkable record has probably never come before a court of justice than that recently presented to the United States Circuit Court of Appeals for the Fourth Circuit in a suit between Harrison Wagner and the County Commissioners of Frederick county, Md. This suit was based on 11,000 judgments of \$100 each with \$1.30 costs on each judgment, making an aggregate claim of \$1,114,300. The plaintiff alleged that he obtained these judgmen's in 1885 before one John Haynes, a Jus-tice of the Feace of Frederick county. He was defeated upon the trial, on the ground that the certificates of the Secretary of State of Maryland, by which he attempted to prove the signature of John Haynes to copies of the judgment., were insufficient to show that such signature was genuine. "It requires five pages of the printed record of this case," says Circuit Judge Goff, "to set forth the copies of the papers just referred to, and there are said to be 11,000 of such transcripts, making 55,000 pages, or 75 volumes of over 730 pages each. of | Secretary of State says in his certificate as to each judgment that it was for damages resulting from blackmail. This certificate is a curiosity in itself, setting forth, as it does, all sorts of misconduct on the part of various officlais and courts in Maryland. It may be found at page 971 of the ninety-first volume of the der that the Federal Court found it difficult to believe that such a document could ever have been signed by an officer holding the position of Secretary of State.

Sunday baseball playing has been pronounced unlawful in Indiana, by a decision of the Supreme Court of that State which was appounced on Tuesday. Similar decisions Nebraska and by the court of intermediate ap-Court) in New York. The Nebraska statute forbade "sporting" on Sunday and the Supreme Court held that playing baseball clearly came within that term. The opinion was written by Chief Justice Maxwell, who declared that the deliberate violation of a law prohibiting Sunday sport was often but the commencement of a series of offences which lead to infamy and ruin. In Missouri, on the other hand, it has been decided that a statute forbidding "horse racing, cock fighting or playing at cards or games of any kind" on prohibition of baseball playing and does not on Sunday which involve no element of

An application was made a fortnight ago to the Judicial Committee of the Privy Council in England for special leave to appeal from a judgment of the High Court of Madras in a suit between two rival religious sects, each of which claims the right to conduct the services in a particular temple in India in its own peculiar way. The litigation in various forms is as old as the present century, and Mr. Mayne. who appeared in support of the application. said he had been counsel in the matter forty years ago. The judgment of the Madras court, he declared, was not satisfactory to either party, and had much the same effect as it would have in London to place the services in Westminster Abbey under the joint charge of a Protestant Dean and a Roman Catholic Cardinal. The Judicial Committee, nevertheless, refused to grant the desired leave to ap-

The late Sir Benjamin Ward Elchardson was a distinguished English physician and writer on medicine and hygiene, who was strongly opposed to the use of alcohol as a beverage. In one of his books he gives a very interesting account of the use of wood spirit or methylic alcohol as an intoxicant in Ire land. Sir Walter Trevelyan bequeathed to Sir Benjamin some years ago a choice lot of wines and liquors to be used "for scientific purposes." The eminent legatee, however, being a stanch total abstainer, did not make any use whatever of the gift, and since his death a question has arisen as to whether the spirits are impressed with a trust for the advancement of science or whether Dr. Richardson's representatives may dispose of them as a part of his estate. Mr. Justice North has decided that there was no trust and that the gift was absolute, so that the testator was at liberty to drink the wine, &c., himself if he so

SWEEPERS' VETOED PARADE

THE MAYOR HAS VEXED THE 3,500

STREET CLEANERS VASTLY. McCartney Won't Resign Under Fire, but Tammany's Grudge Against Him Has Been Fed-McNulty of the K. of L. and the Back Pay Claims Bureau Is Flourishing.

When Mayor Van Wyck compelled Street Cleaning Commissioner McCartney to abandon the proposed parade of the men in the Street Cleaning Department, he stirred up an amount of feeling and dissatisfaction among the men who were to parade that would probably surprise him if the petitions which are being circulated at the various stables asking parade ever get to his hands. The Mayor called off the parade last Wednesday thing to stop the parade by a delegation of socalled labor men, headed by one Patrick Me-Nulty, who, it was asserted, represented a union to which a large number of the drivers and hostlers of the department are said to belong. This delegation represented to the Mayor that organized labor looked upon such a parade, made in the uniform of the force, as degrading to labor. They complained, further, that the men objected to paving 50 cents each to hire bands of music for the parade and also of the extra labor demanded of them in their

own time in drilling for the parade. The Mayor was so much impressed, either by what was said or by the opportunity which the petitioners gave him to interfers, that he sent at once for Commissioner McCartney. After hearing all of Mr. McCartney's reasons for desiring to have the men of his department parade, the Mayor wound up the interview, saving that he didn't see any good that could come of a parade, that if it were held he wouldn't review it and that if he had his way he would

stop the police parade also.

With such a declaration from the Mayor, Mr. McCartney concluded that if he didn't want to declare himself in open rebellion against the

parade and he sent out word that it was off When the men at the stables got the word. they were both astonished and disappointed. Many of them had been drilling night after night, many had already contributed for the music and nearly all wanted to show themselves as Col. Waring had had them show themselves. Petitions were drawn up and circulated in each stable, asking that the decision be reconsidered. It was said among the men at a number of atables resterday that 100 per cent, of the employees had signed these petitions.

Whether these will ever be presented seemed.

signed these petitions.

Whether these will ever be presented seemed, however, somewhat uncertain yesterday. Mr. McCartney had notified the mon through their foremen that so far as he was concerned the matter was settled, and the men seemed uncertain whether it would be a wise thing for them to address the Mayor directly, after he had taken so direct a stand in the matter against the parade. Up in the Bronx, where Mr. McCartney comes from, the nen declared that they would parade anyhow and asked Mr. McCartney if he would review them. He said at first that they were a fiberity to turn out after working hours and that if they did he would review them, but vesterday the fip had gone forth that they had better not turn out, and it seemed likely that even the Bronx men would drop the idea.

Although Mr. McCartney decided promptly to do just as the Mayor wanted him to in regard to the holding of the parade, neither he nor his friends are silant about his desire to show his department to the bubble, and some of his friends have some very uncleasant things to say about the Mayor and his treatment of Mr. McCartney. Although it is well known that Mayor van Wex dighter public shows and function, it looks as if he had gone out of his way to put a stoo to the street elemers' parade for the purpose of making things a little more unpleasant for Mr. McCartney, when he seems determined to drive to resigning.

things a fittle more unpleasant for Mr. Mc-Cartney, whom he seems determined to drive to resigning.

When a Six reporter asked Mr. McCartney yesterday if he wanted to have the parade he said, emphatically. Yes! I believe he said, which is a pride among the men in their work and an espect de corns and I have been looking forward to such an event ever since I have been in charge of the department to give a public demonstration that neither in the quality meria the condition of the men or material in the department has it depreciated in my hands. Last year I gave up the idea reluctantly, because the war was absorbing the people satisation, and I thought such a parado might be considered out of place. This year I began my preparations early, and I am assured, both from my own knowledge and from the reports of men who have been in the department eight or ter years, that the Street Cleaning Department was never able to make a better showing than we could have done next Westersky. that the Street Cleaning Department was never able to make a better showing than we could have done next Wednesday. Out of the 3,500 men in the department we expected to have about 3,000 in line, and our forses, wagons, buggies and harnesses have all been got in tiptop shape to make a creditable show-of course, when the Mayor said that he would not review the parade, I understood that no other city official would turn out either to see it, and I could not anyway act in opposition to the expressed wish of the head of the city's Government. But I feel greatly disappointed and I want to say that criticisms which have been made to the effect that I am ashamed to have the department seen are untrue and also that

made to the effect that I am ashamed to have the department seen are untrue and also that it is untrue that the majority of the men were opposed to turning out or that they were represented by Mr. McNothy or the labor union which he represents. I understand that a few of the drivers and hostiers of the department are members of his union, but I venture to assert that the union musicians who will be deprived of a day's pay by the caining off of the parade are double the number of men in the department who outposed the parade.

"As to the condition of the department, its ten stables are never closed, day or night, and they are open for the inspection of any citizen who chooses to visit them at any hour. The men and officers of the department take pride in them, and there is a standing offer of \$5 to any one who can discover a cobweb in one of them, the money to be donated to any charity designated by the finder of the cobweb."

Mr. McCartney declared that it was unique that the men were ashamed to parade in their uniforms, and said he wouldn't knowingly keep a man who was ashamed of his uniform or his work. This sentlment seemed also to be general among the men visited.

The trouble between Commissioner McCartney and certain members of Tammany Hall, "asid a friend of Mr. McCartney tested to turn the department over in its entirety to be filled up with political employees. When Mr. McCartney took the place he knew that he was undertaking a hard job, for it was evident that it would be difficult to satisfy the public that any Tammany Hall man would be able to keep the department over in its entirety to be filled up with political employees. When Mr. McCartney took the place he knew that he was undertaking a hard job, for it was evident that it would be difficult to satisfy the public that any Tammany Hall man would be able to keep the department over in its entirety to be filled up with political employees. When Mr. McCartney took the place he knew that he was undertaking a hard job, for it was evident that it woul

men. They wanted the purces of Unit Gibson and other men in responsible positions who had been appointed by Col. Waring, as well as places among the working force, and among the latter their candidates were often men incapable of doing the work. He refused to vacate these places and then the war upon him began. Three months or more ago he was thinking of resigning because of life health, but after the Commissioners of Accounts were turned loose on his department and frequent rumors were set allout that he was going to resign he made up his mind to stick, and he will stick unless his health breaks down entirely."

resign he made up his mind to stock, and he will stick unless his health breaks down entirely."

Patrick McNulty, the labor agitator, seems to have struck a goot thing in connection with the Street Cleaning Department. He once held the place of driver, but while he was in the department was detailed to other work. He was dismissed by Col. Waring, and then became a walking delegate for the Knights of Labor. Then he opened a lajuor store in West Thirty-eighth street. Now he seems to be deveting himself to stirring up trouble in the department, and incidentally is said to be interested in prosecuting a set of claims for money against the department. It appears that for years back under Commissioner Andrews and afterward under Col. Waring a large number of means lous to get work were taken on at various times as mechanic's helpers at \$2.25 a day. In many cases these men were detailed to do such work in the department of long times. Under a law which provides that mechanics in public departments are to receive the pravailing rates of wages, these men have put in claims for the difference between the sum they received and the full rate which prevailed at that time. These claims were repeatedly turned down, but recently have been allowed.

McNulty has been pressing these claims upon 25 per cent, basis, and the books of the de-

cently have been allowed.

McNulty has been pressing these claims upon a 25 percent, basis, and the books of the department show that to-day he holds assignments of more than \$200,000 of such claims.

Henry Hilton in Saratoga

Sanatoga, May 27 - Henry Hilton arrived last night from New York, and is at his country seat. Woo llaws, for the summer. He is gradually recovering from his recent critical

SECOND BATTERY GOES INTO CAMP. Pitched Their Tents in Van Cortlandt Parl

The Second Battery of the New York National Guard went into camp at Van Cortlandt Park yesterday for three days. The camp has been named by the men "Camp Appleton," in honor of Col. Appleton of the Seventh Regiment. Under the command of Capt, David J. Wilson the eighty-six men and six officers of the battery left the armory at Thirty-fourth street and Fourth avenue at 2 o'clock in the afternoon in fatigue uniform. With their four field

neon in fatigue uniform. With their four field pieces and four caissons they proceeded up fifth avenue to 124th street, where they met a number of May parties of children in Mount Morris Park.

The children collected their drum corps and, forming into line, marched through 124th street to Seventh avenue with the battery, singing "My Country. Tis of Thee." They gave the battery three cheers when it came to the parting of ways. The battery then proceeded up Seventh avenue over the Macomb's Dam bridge to Jerome avenue, and thence to Van Cortlandt Park, where the tents had already been creeted by Sergeant Muhlfeld.

Id.

There will be two field drills to-day at Camp Appleton. One will be at 10:30 o'clock in the morning and the other at 3:30 o'clock in the morning and the other at 3:30 o'clock in the afternoon. At the latter drill Col. Appleton will review the battery. The Letter Carriers' Band will give a band concert in the afternoon after the drill. At 10:30 o'clock to-morrow morning there will be a review, an inspection and muster.

Spot, the coach dog mascot of the battery,

RECREATION PIERS OPENED.

Few Turned Out to Enjoy Them Until the Evening: Then They Were Crowded. The six recreation piers on the North an l East rivers were opened at 9 o'clock yesterday morning, but the multitude of tenement dwellfrom the water and the panorama of craft until after the shower in the evening. Each pier was illuminated from end to end by big are

was illuminated from end to end by big are lights, and, at intervals during the evening, from S until 11 o'clock, a band played familiar and unfamiliar airs. Five policemen, assisted by a squad of graycoats, natrolled the wide passages on either side of the long line of beaches in the middle of the piers and checked the enthusiasm of the bousterous. The piers on the North River are at the foot of Barrow. Fiftieth and 12ith streets, and those on the East River are at the foot of Third, Twenty-fourth and 112th streets. Visitors to the Barrow street pier came from a far north as Twenty-third street and as far north as the Battery, chiefly by way of the electric cars and the Ninth avenue elevated road.

GODDESS OF WAR, NOT "FICTORY."

ure on His Jersey City Monument.

The monument elected to the memory of he soldiers and suffors from Hudson county who were killed in the civil war has been put in place in front of the City Hall in Jersey City and will be unveiled on Memorial Day. It has been generally supposed that the figure surmounting the pedestal represented "Victors."
but that error has been corrected by Philip
Martiny, the sculptor who designed it.
"The fours." said Mr. Martiny, "represents
the Goldess of War. Her right hand uplifted
loads the laurel which was always bestowed
for valor. The left hand clutches the sword,
which is sheathed, signifying the termination
of atrice.

of strife.

The nonument will be unveiled on Tuesday afternoon. There will be a turnde which Grand Marshal George B. Fielder says will be the biggest ever seen in the city. William Me-Adoo, former Assistant Secretary of the Navy, will deliver the oration.

ABSCONDER GIFRS HIMSELF UP.

Van Tassel's Method of Robbing the Pest Office Was to Steal Always \$99.

Sherbourn C. Van Tassel, a former money order clerk in Madison Square Post Office station, who disappeared on Jan. 16, about the time a shortage of \$700 was discovered in his accounts, was waiting outside the office of the Post Office inspectors in the Federal Building early yesterday when Inspector Lewis happenedalong. Van Tassel was waiting to give himself up. He was arraigned before United States Commissioner baileds on a charge of emberglement and was held in \$2,000 for ex-amination.

amination.

Van Tassel has a wife and grown-up son and daughter, with whom he lived in a little cortage at 10 Hawthorn avenue, Yonkers, alle was prominent in a Methodist church there. Van Tassel's method was to steal \$50 at a time. Whenever an international money order for \$100 was purchased he entered the amount has \$1 on the advice and pocketed the difference.

SMALLPOX IN FALL RIVER.

Fifteen Cases Reported in Twelve Families in Two Tenements. FALL RIVER, Mass., May 27.-Excitement was caused in this city this afternoon when fifteen cases of small; ox were reported to the Board of Health from the North End. For two days the cases have been withheld by half a dezen physicians and it was not until today that a formal report was made. The persons afflicted are in twelve families occupying sons afflicted are in twelve families occupying aujoining tenement houses. Two patients are in a precarious condition and others are serious. The Health Board immediately quaranthed the houses and prepared to remove some of the sick ones to an isolated place. Most of the families are Franch-Canadians. An old man is believed to have contracted it first in hasdling cotton from the South It is said that the disease existed in a mild form in one of the families several weeks ago and that notice was not given because it was thought it would be overcome without trouble.

Unions Object to the Eight-Hour Day. The first protest on record by trades unions against the eight-hour workday was made to the Dock Board yesterday by the Ship Carpenters' and Caulkers' unions. These unions ask the Dock Board not to enforce the eight-hour law in its department. The reason given is that the men are paid by the hour and are therefore anxious to put in as long a day as possible. Surprise was expressed by the Commissioners at receiving this protest, as the later unions have been demanding the eighthour workday for years and there have been more strikes to enforce it, than from all other causes put together. The Dock Board, according to the present law, cannot employ the men more than eight hours a day.

Stont-Schroeder.

The marriage of Miss Henrietta Maria chroeder and Charles Herman Stout took place vestering afternoon at the Church of the Fifth avenue The Rev. Dr. Ceorge C. Houghton, rector of the church, performed the cereton, rector of the church, performed the ceremony, and the bride was given away by
her brother, J. Langdon Schroeder. Miss
Mary Gertrude Houghton, daughter of the
rector of the church and cousin of the bride,
attended her as maid of honor. Miss Selina
Schroeler and Miss Alberta Stout of German
rown. Pa. Miss Edith Van Cortlandt Jay and
Miss Caroline Witherit of Philadelphia were
the bridegroom as best man, and Henry
Schroeder, Edward Gibert Schermerhorn,
Ernest F. Ayrault, Clarence Goadby, Walter
Price and Freierick W. Stickney of Lowell,
Mass, were the ushers. After the ceremony
there was a reception at the home of the brides
mother, Mrs. Francis Schroeder, of 137 Madison avenue.

Webster-Lusk.

Miss Alice Luck, third daughter of the late Dr. William Lusk, and Dr. Clarence Webster of Montreal were married yesterday afternoon by the Rev. Dr. Heber Newton at the home of the bride, 47 East Thirty-fourth street. Miss Lusk was given away by her brother, Graham Lusk. Miss Anna H. Lusk attended her sister as maid of houor. There were no bridesmaids or ushers. Prof. Ruttan of Montreal was the best man. Dr. and Mrs. Webster will reside in

PHILADELPHIA, May 27.-Miss Anna Robeson Brown, daughter of the late Henry Armitt Brown, was married this morning to Charles Henry liur at St. James's Episcopal Church, Twenty-second and Wainut streets. There were no bridesmaids. The e-remony was per-formed by the Rev. Dr. Blanchard, rector the church. A wedding breakfast at the house of the bride's mother, 115 South Twenty-first street, followed the ceremony.

AUSTIN, Tex., May 27,-The Texas Legislature adjourned sine die at high noon to-day. The length of the session was 137 days! Over 200 bills were passed and will become laws. The Anti-Cotton Future Dealing bill was lost. Gov. Sayors addressed the House briefly just before that adjournment. He congratulated the leg-islators on their labors. TO REFORM CONEY ISLAND.

COMPTROLLER COLER AND OTHERS SAY THE BOWERY MUST GO,

Instead of a Resort for the Vicious They morality Checked by the Fire - The Theory of Incendiary Origin Still Held.

The fire of Friday morning, which swept clean a stretch of the western end of, Coner Island, may lead to the regeneration of that unsavory neighborhood. Comptroller Coler and several other public officials believe that the Bowery should be wiped out of existence The fire, although a disaster to the property owners, has already been the means of reducing vice at the island to a great degree, and the opportunity offered for reformation and purifiction, it is urged, should not be neglected. Commissioner of Buildings John Guilfovle is determined that no more flimsy structures

will have to be built in accordance with the "New buildings," said he yesterday, "will frames will have to be brick filled. Cellings must be of lath and plaster. Solid foundations I regard as a prime necessity. Under exist-

shall be erected. The new ones, he declares

must be of lath and plaster. Solid foundations I regard as a prime necessity. Under existing conditions at the island the lack of substantial foundations means the creation of a draught which does more to spread firs than any other agency.

Comptroller Coler, indorsing the movement for reform at the island resisters, said:

"The city should not be any longer discraced, as it is, by the Bowery, a perennial sent of vice and crime, which can never be cleaned out until the city condemns the whole stretch and turns it into a public, park. I speak for myself only in proposing the regeneration of this part of the island, but it seems to me the turning of it into a public park. I speak for myself only in proposing the regeneration of this part of the island, but it seems to me the turning of it into a public park would be agreat benefit to the city and one of the most wholesome improvements that can be thought of for Brocklyn. Conev Island has been a constant disgrace and menace to this aity for the past twenty-five years. It is a source of pollution to the morais of the population.

"Lawlessness will continue as long as the present ownership continues. Therefore I am heartily in favor of the city's wiping away the whole of the Bowery and turning the district into a fine seaside park. The city already owns five acres of land at the end of the Concourse, and with the territory lying between this and the charitable institutions near Sea teate, would have land enough for a splendid park. I see no difficulty in the matter of extense which cannot be overcome. Almost the whole cost of the improvement would arise from the purchase of land. The buildings along the Bowery are all of the filmsiest description.

"The city would even derive a fair return on its investment through the sale of privi-

arise from the nurchase of land. The buildings along the llowery are all of the filmlest description.

The city would even derive a fair return on its investment through the sale of privileges such as are now granted in Central and Prospect tarks. There could be restaurants, soda and lee cream stands, bathhouses, &c. just as well if the city owned the land as a cark and without all of the corrupting and vile indicences which doughate the llowery. I have the people will take some interest in this matter in order to show that they care something for law and order and the decencies of life. I believe the city will be in a position after July to raise the money required if the people dymand the improvements.

Deputy Commissioner William Walton of the People dymand the improvements.

Deputy Commissioner William Walton of the people dymand the improvements of the learned wing in the burned pair of the Island had been in the durined pair of the Island had been in the darket, the work having been doned in disregard of generality accepted rules for safe construction. The fire is still thought to have been of incendiary origin.

origin.

Folice Cartain Kenney of the Coney Island station informed the concert-half proprietors last sight that they must close their places at within the real less of the content of th station informed the concert-half proprietors that the ting they must close their places at midnight and keep them closed all day Sunday. He also said that no liquor could be sold without a bonn file meal, and that sandwiches, in his crimion, did not constitute a meal. The without a bonn file meal, and that sandwiches, in his epinion, did not consiltute a meal. The sufficiers from the fire, who had started to erect tents to catch the money from the Sunday erowd, compained loudly at the orders, saving that they thought a little leeway might be given them until they had a chance to recover from their losses. Some of them said they were forced out of business by the Captain, but he said he was only following instructions from Headquarters. No dancing will be allowed on the island to-day.

Good Evidence That Mr. Phillips Knows

August Kline of 60 Cottage street, Jersey City, was awakened at 3 A. M. yesterday by hearing several pistol shots fired in rapid sucsession. He looked out of the rear window and saw his next-door peighbor, A. D. Phillips, standing at his window with a revolver in

"What's the matter, Phillips?" asked Kline, "Burgiars around, I guess," replied Phil-

"Burgiars around, I guess," replied Phillins. "I just saw a follow climbing over the back fence and I fired at him. I don't know whather I hit him or pot." "Maybe it was cats," suggested Kline. "No, it wasn't cats," replied Phillins, with some asperity, "it was a man. I think I know a cat from a man."

"Well, I hore you hit him." remarked Kline, closing the window and returning to hed.

When Mr. Kline's servant went downstairs about three hours later to prepare breakfast she found the dining room in great disorder and called Mr. Kline. He saw at once that a burglar had been in the house. He found that a suit of clothes worth \$30, silverware worth \$25, in tookstook centraining \$5 and a child's bank with \$2 in it had been carried away. He was convinced then that what Mr. Phillips had shot at was a man.

Incorporated at Trenton.

TRENTON, N. J., May 27 .- The Godson Graphotype Company and the United States Glucose Company, each having \$5,000,000 of capita stock, were incorporated here to-day. The Graphotype Company proposes to manufacture and deal in line-casting, typesetting, typecasting, lithographing and printing machines. One-half of the capital stock is 8 per cent. pre-

One-half of the capital stock is 8 per cent. preferred. The incorporators are Meridith Dryden, Russell H. Landale and William B. Harding of Jersey City. The Glucose Company will deal in glucose, sugar and starch made from corp. maize or other raw products. Of the capital stock \$3,000,000 is 6 per cent. preferred. The incorporators are Halph A. Sturgus and William C. Wilson of New York and J. V. Clark of Hoboken.

The Spanish-American Company was incorporated with a capitalization of \$10,000,000. The company is formed, for the purpose of doing a general mining business in the United States, Europe, the West Indies and Central, South and British America. Of the capital stock one-half is 6 per cent. preferred. The incorporators are Charles Hross, Vincent P. Travers, Francis C. Travers, Joseph R. F. Favage and Benjamin Tuska, all of New York, Pedro Santistolebany y Chavarri and José Ramon. Latimer of San Juan, Porto Rico, and G. P. Neider of Fanwood, N. J.

Creditors Pursuing Klinkowstein.

A petition in involuntary bankrupter was filed vesterday against Alexander Klinkowstein, a liquor dealer, of 142 West Fourteenth street, who was arrested at the pier of the North German Lloyd Steamship Company in Hoboken on Friday. Petitioning creditors representing \$2,800 were P. W. Engs, Sons & Co., the Sandusky Wine and Brandy Company of Sandusky, O., and Rheinstrom Brothers of Cin-Sandusky, O. and Rheinstrom Brothers of Cincinnati, O. Klinkowstein had been in business since 1877 and prospered until he sunk about \$25,000 in a Klondike mining scheme, it is said. On April 28 he called a meeting of his creditors and offered to settle with them at 50 cents on the dollar. The offer was accepted, much sympathy being expressed for Kinkowstein by some of his creditors. He was arrested on an order sworn out by Francis O. Boyd & Co. wholesale liquor dealers, who alteged that they had given Kinkowstein credit for \$5,353 worth of liquors on his representation that he worth of figuors on his representation that was worth \$60,000, and that the bill had a been paid.

The Sanitarium for Hebrew Children.

The Sanitarium for Hebrew Children Rockaway Park, L. I., will open for the seaso next Wednesday, and on June 12 the officer expect to begin the free land and water excur sion trips. As has been the custom for sever years, there will be two trips a week, on Mor years, there will be two trips a week, on Mondays and Thursdays, to the sanitarium, on each of which about four hundred mothers and children will be taken. In addition there will be an excursion on the water every Wednesday after the manner of the fleating hospital of his John's Guild.

Two dectors are constantly in attendance at the sanitarium and any children who are six are kept there for two weeks or longer. A names is being built for the coming sensor and on its completion about 140 sick children can be accommodated.

The work of the sanitarium is carried on entirely by voluntary contributions. Subscriptions in any amount may be sent to Hezekial holm. Treasurer, 3 West Thirty-ninth street.

The Real Estate Board of Brokers The Real Estate Foundation of a trustwictby morning publication, together with a corresponding site intage, have designated This Sun their official News and Advertising medium. There is printed each day a complete automary of first Estate transactions, logether with a list of Real Estate Auction Sales to occur.—Adv.

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Ladies' Tailor-made Suits

Eton Jacket, of Gray Homespuns, lined throughout with taffeta silks,

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West Twenty-Third Street

KEANE WINS LEO'S FAVOR.

ARCHBISHOP RETURNING TO HIS OLD Report that He Is to Succeed the Rev. Dr.

County as Rector of the Catholic University—Same Rumor Says Dr. County Is to Be Made Bishop of Columbus, Ohio. An apparently well-founded report from Rome was being discussed generally in Roman Catholic circles in this city yesterday to the effect that Archbishop Keane, upon his apsucceed to the rectorship of the Catholic Unihe was removed by Papal command about three years ago. The distinguished prelate is

he was removed by Papal command about three years ago. The distinguished prelate is now on his way to this country, having received a leave of absence from Rome for a period of two years.

Archbishop Keane's retirement from the received a leave of absence from Rome for a period of two years.

Archbishop Keane's retirement from the received with constenation by the majority of the Roman Catholics in America. It was the direct result of internal dissensions in the hierarchy and of disagreements among the members of the faculty of the institution itself, some of whom clung to Old World notions of church colity, while others, with the then Bishop Keane at the head, advocated more liberal ideas as best adapted to the wants of American students.

Archbishop Sabolii, now Cardinal, the first Delegaie Apostolic to the United States, was then in the ascendency, and it is believed that his reports of conditions existing in the Church at large in America, and especially in the representative institution of learning at Washington, led the Pope, under a misapprehension of the facts in the case, to denose Bishop Keane, Satolii left the country, to be aucceeded by Mgr. Martinelli, and while the former was still on the ocean, on his way to the Eternal City, the blow fell and Bishop Keane was removed and summoned to Rome to appear before the ecclesiastical authorities.

It was feared that the summons boded no good to the retiring rector, but the contrary proved to be the fact, for it was not long after his arrival in home that Leo XIII, began to recognize the true state of affairs in America and to bestow many favors upon the American affairs in the Church. With the promulgation of the Pope's recent letter on American significant in the Church. With the promulgation of the Pope's recent letter on American affairs in the Church. With the promulgation of the Pope's recent letter on American significant and the supplication for a leave of absence for two years was readily granted.

When advices by tolegraph were received here that

leave of absence for two years was readily granted.

When advices by tolegraph were received here that Archbishop Keane was about to return, it was conceded that he would devote himself, after a short rest, to work in connection with the Catholic University of America, but the especial capacity in which he would resume his labors there was not made public.

Upon Bishop Keane's retirement from the university, the office of rector was for some time vacant. Finally the Hey. Thomas J. Conaty. D. D., rector of the Church of the Sacred Heart. Worcester, was chosen. Dr. Conaty was recognized as a man of great learning, an enthusiastic educator and a theologian of sminence. Somewhat reluctantly Dr. Conaty Dr. Cona Consty was recognized as a man of great learning, an enthusiastic educator and a theologian of eminence. Somewhat reluctantly Dr. Conaty resigned his charge in Worcester and assumed the rectorship of the university under certain conditions which embodied the understanding that the institution should be conducted under substantially the same principles advocated by his predecessor. Dr. Conaty's administration of the university has been eminently successful, the number of students there having been largely increased and many accretions to the income having been received.

If any regrets are to be felt at the reported return of Archbishon Keane to his old post of dury, it will be because of the necessary retirement of the present respected rector. It is said, however, that Dr. Conaty will not be the sufferer by the change, for it is confidently asserted that he has been selected as the probable successor of the late hight Rev. John A. Watterson, Bishon of Columbus, who died a short time ago, after an episcopate of nearly twenty years.

It is expected that Archbishon Kenne will return before the middle of next month, his journey home being made by easy stages. At present, he is said to be resting in England, Archbishop Kenne will be accompanied by the Rev. Donis O'Connell, former rector of the

Archbishop Keane will be accompanied by the Rev. Denis O'Connell, former rector of the American College in Rome.

MARINE INTELLIGENCE

MINIATURE ALMANAC -- THIS DAT. Sun rises.... 4 84 | Sun sets.. 7 21 | Moon 21:es 10 47 BIGH WATER-THIS DAT. Sandy Hook. 9 51 | Gov. Isl'd. 10 28 | Hell Gate. 12 16

Ss Lucania, McKay, Liverpool May 20 and Queens Sa Neustria, Saffols, Marseilles May 4 and Naples oth.

pth.

Sa Terg. Danielsen, Havana.
Sa Carlubee, Scott, St. Lucia.
Sa Carlubee, Scott, St. Lucia.
Sa Craigearn, Kirkwood, Trinidad.
Sa Seninnole, Bearse, Jacksouville.
Sa Falls of Kellie, Barr, Boston.
Sa Katahdin, Mclvin, Providence.
Bark Elice, Morch, Belfast. [For later arrivals see Pirst Page.]

ABBIVED OUT. Sa Campania, from New York, at Liverpool. Be British Empire, from New York, at Antwerp.

SAILED FROM PORRIAN PORTS Tauric, from Liverpool for New York, St. Paul, from Southampton for New York, Etturia, from Liverpool for New York, Prinz Regent Luitpold, from Bremen for New Fork.
Re Cluden, from Amsterdam for New York.
Be Rotterdam, from Rotterdam for New York.
Be Pretoria, from Bermuda for New York.

SAILED FROM DOMESTIC PORTS. Sa Nacoochee, from Savannah for New York. Sa Iroquoia, from Jacksonville for New York.

CUTGOING STEAMSHIPL Sail To-Marrow.

Mails Close,
1 00 P M

Sati Tuesday, May Sv.,
Trave, Bremen 7 00 A M
Phomicia, Hamburg
Rabat, Havana
Chalmette, New Orleans. La Bretagne, Havre 7 to A M
Majonic, Liverpool 900 A M
Majonic, Liverpool 900 A M
May York, Southampton 7 to A M
Kensington, Antwerp 10 30 A M
Orizabs, Havana 1 00 P M
Lydia, Progress 1 00 P M
Iroquois, Charleston INCOMING STEAMSHIPS.

Viotovia	Gibraltac.	May 13
Nam Orleans	New Orleans	Mar Th
Hileia	Havana	May 21
bt Enough	Antwerp.	DIAN 22
Ta Garangua	Havre	may 18
Cilvelani	Ciberties	. May 20
Pt Daws	Gibraltar New Orleans.	MAY 14
Donates win	Bermuda	MAY 23
Pressia	Bermuda	May 26
Due	Monday, May 29.	1290 939
Menomines	London	. May 19
St. Outhbert	.Antwerp	May 17
Nomadic	Liverpool	May 10
Naconchue		May 211
Iroquois	Jacksonville	May 26
Due	Tuesday, May 30.	
Kaiser Wm. der Gross	e Bremen	May 23.
Noordland	Antwern	May 20
Isabelle	Bordeaux	May 22
Caracan	Latinares	Mar. 22
Kutckerpocker	New Orleans	Man 74
Alleghany	Port Limon	May 23
El Dorado	Port Limon Sew Orleans.	May 25
Sautiago de Cuba	Cenfuegos	May 25
Cities 11	ednesday, May 31.	1000
Kaiser Willielm II	Gilgaltar	Managa
Bremen	Bremen	May 21
Auranta	Liverpool	May 20
Hiela	St. Lucia	1107 23
Bellucia	St. Lucia	Many
Alamo	Galveston.	1187 24
Hildebrand	St. Lucia	May 24
Altra	Santa Martha	7.47.24
Advance	Colen	May 24
and the same of th	TOTAL PROPERTY.	May 24
Due :	Phursday, June L.	1020000
rennsylvania		May 21
Cition contraction of the	. hamburg.	May 18
Due Due	Friday, June 2.	
Hart and the second	Southampton	May 27
Drivatinie	Liverneol	May 24 4
Britannie	Livernool	May 24 4

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READING RAILROAD BLAMED.

The Responsibility for the Exeter Accident Laid at Its Door.

Norristown, Pa , May 27 .- The Norristown jury investigating the Exeter disaster this morning returned the following verdict: "We find that said Charles H. White and others came to their deaths by shock and in-

ternal and other injuries received in a railroad collision on the Phitadelphia and Reading Rail-1866, and we furthermore find that the Reading Rallway Company are primarily responsible for this accident for the reason that they have never established a modern and adequate system of communication by telegraph or telephone between all signal stations and the main office. Had this system been in vacue the accident, in our judgment, could have been avoided. We are further of the helief that there is no absolute safety in running trains according to their present system and rules.

The report concluded:

"We further find that mistakes were made by employees of the rallway company concerned in the running of the two sections of train No. 12 on the said night, but that they were insufficient, in our judgment, to have caused the collision had a proper system of signals been in use on that portion of the line." 1800, and we furthermore find that the Reading

Business Motices.

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MARRIED

ROLLSTEDE-LARIDON.-On Tuesday, May 23, at Christ Church, by the Rev. Dr. Shipman, Ida Reine Elizabeth, daughter of Mr. Gustav Laridon, to Alfred G. Kollstede, both of New

DIED.

BARTON.-In Euffalo, N. Y., May 25, at the residence of her trather-in-law, William Y. Warren. after a short illness, Fannie, daughter of Elica P. and the late William Barton.

Relatives and fr.ends are invited to attend the funeral from her late residence, 108 East 19th at., on Monday, May 29, at 10 o'clock A. M. Interment at Greenwood. BLOOMSBURG .- At Bordentown, N. J., Friday.

May 2d, 1899, Capt. Robert Bloomsburg, in the

70th year of his age.

Relatives and friends are respectfully invited to attend the funeral from his late residence, 128 Prince st., Bordentown, N. J., Tuesday, May 30, at 11:30 A. M. BOTHNER.—Dorothea J. E. (Ada Bothner), at El-

gin, Ill., May 25. Funeral service Monday, May 29, at 11 A. M., at the Little Church Around the Corner, 5 West 20th st. Interment in Greenwood Cometery. CISCO.-On Thursday, May 25, 1800, at her resi-

dence, 121 Madison av., Caroline A. Cisco

Funeral services will be held at the Church of the Holy Communion, corner of 6th av. and 20th st., on Monday, May 29, at 10:30 A. M. BRANICHFELD.—On Thursday, May 25, 1899, Charles H. Kranichfeld, in his 52d year. Funeral services at his late residence, Auduben av., near West 179th st., on Sunday, May 28, at 1

o'clock P. M. Interment Greenwood. Relatives and friends respectfully invited. Buffalo, N. Y., papers please copy.

LOTHROP.—On Friday, May 28, Charles B.

Lothrop, in his 58th year. Funeral services at Trinity Chapel, 25th at., Sunday, at 3 o'clock. Interment at Woodlaws Cemetery. STETSON.—On Friday morning, May 26, 1899, Caroline M., widow of Charles S. Stetson, aged

Funeral services at her late residence, 144 Powers et., Brooklyn, on Sunday evening, May 28, at 7:80 o'clock. Interment at Rye, N. Y. TAPPIN.-On Friday, May 20, Sydney Brooks, only child of James W. and Mary Brooks Tappin. aged 18 years.

Funeral private WESSELL, On May 25, Otto Wessell, aged 58 years. Funeral from his late residence, 47 West 70th st.,

Monday, 1 P. M. German Liederkrans, Arion, Heinebund, Centennial Lodge, 201, K. of H., in dependent Benevolent Association and Bloom-ingdale Boat Club Societies invited. WICKES. On Saturday, May 27, 1800, Harriette Dowd Alley, wife of Thomas P. Wickes and eld-

est daughter of Louisa J. and the late George Botton Alley. Funeral services will be held at her late residence. ha West join st., on Monday, May 25, at 4 o'd lok in the afternoon. Helatives and friends are in-sited to attend. Interment at the convenience

of the family. Baltimore papers please copy. WIGHTMAN.-On Saturdey, May 27, 1898, Stillman King Wightman, in his b7th year. Funeral services at his late residence, 70 East 181st at., on Monday, May 20, at 8 P. M. Int rment

at Cromwell, Conn.

THE KENSICO CEMETERY - Private station, Har-lem Railroad; 45 minutes ride from the Grand Central Depot. Office, 16 East 42d st. Special Motices.

MEMBERS of 12th Regiment Volunteers requested to parade with regiment on Leonaton Day, Report at Avinory at 8 ociock A.M. 5, respective companies.

RHEUMATISM, Gout, Nervous Diseases yield instantaneously to Dr. NOLL'S Electro-Thermal Baths, 41 West 33d at PILES. DR. CHAPMAN 107 East 23d. No cut-ting: no lost time. Book free. Pay when cured.

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